

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Karola RITTNER et al.	)	Group Art Unit: Unassigned
	)	
Application No.: Unassigned	)	Examiner: Unassigned
	)	
Filing Date: May 29, 2001	)	
	)	
For: COMPLEX FOR TRANSFERRING	)	
AN ANIONIC SUBSTANCE OF	)	
INTEREST INTO A CELL	)	

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-captioned application as follows:

**IN THE CLAIMS:**

Kindly amend the claims as follows:

3. The peptide of claim 1 which has a molecular weight of less than 5 kD.
  
4. The peptide of any one of claim 1, which comprises the amino acid sequence SEQ ID NO:1, wherein each Xaa is selected independently of one another from the group
  
6. A complex for transferring an anionic substance of interest into a cell comprising:
  - (i) at least one peptide of claim 1;
  - (ii) at least one anionic substance of interest.

8. The complex of claim 6, wherein said anionic substance of interest is a nucleic acid.
10. The complex of claim 6, wherein the size of said complex is less than 500 nm.
12. The complex of claim 6, wherein the ratio within said complex between the number of positive charges and the number of negative charges is between 0.05 and 20.
14. A composition comprising the complex of claim 6 and a carrier therefor.
15. A method for curative, preventive or vaccine treatment of mammals comprising administering an effective amount of the complex of claim 6 to a patient in need thereof.
16. A method for transferring an anionic substance of interest into a cell comprising using the cationic peptide of claim 1.

**REMARKS**

Entry of the foregoing amendments are respectfully requested.

Should the Examiner have any questions concerning the subject application, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

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Date: May 29, 2001

**Marked Up Copy - Attachment to Preliminary Amendment dated May 29, 2001**

3. The peptide of claim 1 [or 2] which has a molecular weight of less than 5 kD  
[, preferably of less than 3 kD].

4. The peptide of [any one of claims 1 to 3] claim 1, which comprises the  
amino acid sequence SEQ ID NO:1, wherein each Xaa is selected independently of one  
another from the group consisting of lysine (Lys or K), histidine (His or H) and arginine  
(Arg or R) residues.

6. A complex for transferring an anionic substance of interest into a cell  
comprising:

- (i) at least one peptide of [any one of claim 1 to 5] claim 1;
- (ii) at least one anionic substance of interest.

8. The complex of [claims 6 or 7] claim 6, wherein said anionic substance of  
interest is a nucleic acid.

10. The complex of [any one of claims 6 to 9] claim 6, wherein the size of said  
complex is less than 500  
nm.

12. The complex of [any one of claims 6 to 11] claim 6, wherein the ratio within  
said complex between the number of positive charges and the number of negative charges is  
between 0.05 and 20.

14. A composition comprising the complex of [any one of claims 6 to 13] claim  
6 and a carrier therefor.

15. [Use of the complex of any one of claims 6 to 13 for the preparation of a pharmaceutical composition] A method for curative, preventive or vaccine treatment of mammals comprising administering an effective amount of the complex of claim 6 to a patient in need thereof.

16. [Use of a peptide of any one of claims 1 to 5 for the preparation of a complex] A method for transferring an anionic substance of interest into a cell comprising using the cationic peptide of claim 1.

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